

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

GENERAL MOTORS CORPORATION,

Civil No. 08-5150 (JRT/AJB)

Plaintiff,

v.

**ORDER DENYING PLAINTIFF'S
EMERGENCY MOTION FOR
INJUNCTION PENDING EXPEDITED
APPEAL**

HARRY BROWN'S, LLC,

Defendant.

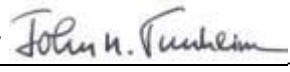
Kerry L. Bundy, William L. Killion, Jacob R. Kraus, and Christine Rieck Loukas, **FAEGRE & BENSON LLP**, 90 South Seventh Street, Suite 2200, Minneapolis, MN 55402-3901; and Jeffrey J. Jones and J. Todd Kennard, **JONES DAY**, 525 John H. McConnell Boulevard, Suite 600, Columbus, OH 43215, for plaintiff.

Robert L. DeMay, Curtis D. Ripley, and Jacob B. Sellers, **LEONARD STREET & DEINARD, PA**, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402, for defendant.

On December 17, 2008, plaintiff General Motors Corporation ("GM") filed an Emergency Motion for Injunction Pending Expedited Appeal of an Order by this Court denying GM's motion for a preliminary injunction. GM brought this motion under Federal Rule of Civil Procedure 62(c), requesting "a very short injunction only to allow the Eighth Circuit to consider the matter on an expedited basis." After review of the record before the Court, the Court denies GM's motion. The Court's decision, however, does not preclude GM from seeking injunctive relief from the Eighth Circuit to stay proceedings pursuant to Federal Rule of Civil Procedure 62(g).

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that plaintiff General Motors Corporation's Emergency Motion for Injunction Pending Expedited Appeal [Docket No. 70] is **DENIED**.

DATED: December 17, 2008
at Minneapolis, Minnesota.

s/ 

JOHN R. TUNHEIM
United States District Judge